

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAURAJEAN CORIDEO

Plaintiff,

Civ. No.: 1:20-cv-03620

-against-

CENTRIC BRANDS, INC.; CENTRIC BRANDS
HOLDING LLC; KELLY GRANT, individually; and IRENE
GALPERIN, individually,

Defendants.

ANSWER WITH
AFFIRMATIVE AND OTHER
DEFENSES OF KELLY
GRANT AND IRENE
GALPERIN

Defendants Kelly Grant (“Grant”) and Irene Galperin (“Galperin”) (collectively, the “Individual Defendants”)¹ by and through their undersigned attorneys, Jackson Lewis P.C., hereby respond to the allegations set forth in the Complaint filed by LauraJean Corideo (“Plaintiff”) and state as follows:

AS AND FOR AN ANSWER TO “NATURE OF THE CLAIMS”

1. The Individual Defendants admit that Plaintiff purports to seek redress for injuries she has suffered as a result of being discriminated and retaliated against on the basis of *inter alia*, her request for leave to take care of her sick daughter, her request for leave to recover from her own illness, and her complaints about discrimination, but except as so admitted, deny the remaining allegations set forth in Paragraph “1” of Plaintiff’s Complaint, and specifically deny that Plaintiff is entitled to any of the relief she seeks.

¹ On June 24, 2020, after Defendants Centric Brands, Inc. and Centric Brands Holding LLC (collectively, the “Corporate Defendants”) filed a Suggestion of Bankruptcy, the Court entered a Memo Endorsement noting that this case is stayed against the Corporate Defendants. (ECF Docket # 12).

2. The Individual Defendants deny every allegation set forth in Paragraph “2” of Plaintiff’s Complaint.

AS AND FOR AN ANSWER TO “JURISDICTION AND VENUE”

3. The allegations set forth in Paragraph “3” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants admit that this Court has federal question jurisdiction, generally, pursuant to the statutes cited in Paragraph “3” of Plaintiff’s Complaint, but deny that jurisdiction should be exercised in this case, and further deny all remaining allegations set forth in Paragraph “3” of Plaintiff’s Complaint.

4. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “4” of Plaintiff’s Complaint.

5. The allegations set forth in Paragraph “5” state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “5” of Plaintiff’s Complaint.

6. The allegations set forth in Paragraph “6” state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny that this court should exercise personal jurisdiction over the Individual Defendants in this case, and further deny all remaining allegations set forth in Paragraph “6” of Plaintiff’s Complaint.

7. The allegations set forth in Paragraph “7” state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny that

this Court should exercise jurisdiction in this case, but to the extent jurisdiction is proper, venue is appropriate in the Southern District of New York, and further deny all remaining allegations set forth in Paragraph “7” of Plaintiff’s Complaint.

AS AND FOR AN ANSWER TO “PARTIES”

8. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “8” of Plaintiff’s Complaint.

9. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “9” of Plaintiff’s Complaint.

10. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “10” of Plaintiff’s Complaint.

11. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “11” of Plaintiff’s Complaint. except admit that Plaintiff purports to refer to Centric Brands, Inc. and Centric Brands Holding LLC as “Centric” or the “Company.”

12. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “12” of Plaintiff’s Complaint.

13. The Individual Defendants deny the allegations contained in Paragraph “14” of Plaintiff’s Complaint.

14. The Individual Defendants deny the allegations contained in Paragraph “14” of Plaintiff’s Complaint.

AS AND FOR AN ANSWER TO “FACTUAL ALLEGATIONS”

15. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “15” of Plaintiff’s Complaint.

16. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “16” of Plaintiff’s Complaint.

17. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “17” of Plaintiff’s Complaint.

18. The allegations set forth in Paragraph “18” state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “18” of Plaintiff’s Complaint.

19. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “19” of Plaintiff’s Complaint.

20. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “20” of Plaintiff’s Complaint.

21. The Individual Defendants deny each and every allegation set forth in Paragraph “21” of Plaintiff’s Complaint.

22. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “22” of Plaintiff’s Complaint except deny that the Individual Defendants ever retaliated against Plaintiff.

23. The Individual Defendants deny each and every allegation set forth in Paragraph “23” of Plaintiff’s Complaint.

24. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “24” of Plaintiff’s Complaint

25. The Individual Defendants deny each and every allegation set forth in Paragraph “26” of Plaintiff’s Complaint.

26. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “26” of Plaintiff’s Complaint

27. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “27” of Plaintiff’s Complaint

28. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “28” of Plaintiff’s Complaint

29. The Individual Defendants deny each and every allegation set forth in Paragraph “29” of Plaintiff’s Complaint.

30. The Individual Defendants deny each and every allegation set forth in Paragraph “30” of Plaintiff’s Complaint.

31. The Individual Defendants deny each and every allegation set forth in Paragraph “31” of Plaintiff’s Complaint.

32. The Individual Defendants deny each and every allegation set forth in Paragraph “32” of Plaintiff’s Complaint.

33. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “33” of Plaintiff’s Complaint.

34. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “34” of Plaintiff’s Complaint.

35. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “35” of Plaintiff’s Complaint.

36. The allegations set forth in Paragraph “36” state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “36” of Plaintiff’s Complaint.

37. The Individual Defendants deny the allegations contained in Paragraph “37” of Plaintiff’s Complaint.

38. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “38” of Plaintiff’s Complaint.

39. The Individual Defendants deny each and every allegation set forth in Paragraph “39” of Plaintiff’s Complaint.

40. The Individual Defendants deny each and every allegation set forth in Paragraph “40” of Plaintiff’s Complaint.

41. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “41” of Plaintiff’s Complaint except deny that Defendant Grant’s emails “often contained typographical errors.”

42. The Individual Defendants deny each and every allegation set forth in Paragraph “42” of Plaintiff’s Complaint.

43. The Individual Defendants deny each and every allegation set forth in Paragraph “43” of Plaintiff’s Complaint.

44. The Individual Defendants deny each and every allegation set forth in Paragraph “44” of Plaintiff’s Complaint.

45. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “45” of Plaintiff’s Complaint.

46. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “46” of Plaintiff’s Complaint.

47. The Individual Defendants deny each and every allegation set forth in Paragraph “47” of Plaintiff’s Complaint.

48. The Individual Defendants deny each and every allegation set forth in Paragraph “48” of Plaintiff’s Complaint.

49. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “49” of Plaintiff’s Complaint.

50. The Individual Defendants deny each and every allegation set forth in Paragraph “50” of Plaintiff’s Complaint.

51. The Individual Defendants deny each and every allegation set forth in Paragraph “51” of Plaintiff’s Complaint.

52. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “52” of Plaintiff’s Complaint.

53. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “53” of Plaintiff’s Complaint.

54. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “54” of Plaintiff’s Complaint.

55. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “55” of Plaintiff’s Complaint.

56. The Individual Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in Paragraph “46” of Plaintiff’s Complaint except deny that any action taken by the Individual Defendants against Plaintiff was

because of her disability, her daughter's disability, any prior FMLA leave and/or any complaints of alleged discrimination.

57. The Individual Defendants deny the allegations set forth in Paragraph "57" of Plaintiff's Complaint.

58. The Individual Defendants deny the allegations set forth in Paragraph "58" of Plaintiff's Complaint.

59. The Individual Defendants deny each and every allegation set forth in Paragraph "59" of Plaintiff's Complaint.

60. The Individual Defendants deny each and every allegation set forth in Paragraph "60" of Plaintiff's Complaint.

61. The Individual Defendants deny each and every allegation set forth in Paragraph "61" of Plaintiff's Complaint.

62. The Individual Defendants deny each and every allegation set forth in Paragraph "62" of Plaintiff's Complaint.

63. The Individual Defendants deny each and every allegation set forth in Paragraph "63" of Plaintiff's Complaint.

64. The Individual Defendants deny each and every allegation set forth in Paragraph "64" of Plaintiff's Complaint.

65. The Individual Defendants admit that Plaintiff purports to make all applicable claims for the above conduct and facts under the applicable law pertaining to independent contractors in the event the Individual Defendants claim or the Court determines that Plaintiff was an independent contractor, but except as so admitted, deny the remaining allegations set forth in Paragraph "65" of Plaintiff's Complaint.

66. The Individual Defendants deny each and every allegation set forth in Paragraph “66” of Plaintiff’s Complaint.

67. The Individual Defendants deny each and every allegation set forth in Paragraph “67” of Plaintiff’s Complaint.

68. The Individual Defendants deny each and every allegation set forth in Paragraph “68” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “FIRST CAUSE OF ACTION
AMERICANS WITH DISABILITIES ACT – DISCRIMINATION
(Not Against the Individual Defendants)”**

69. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “68” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “69” of Plaintiff’s Complaint.

70. Since Paragraph “70” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “70” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “70” of Plaintiff’s Complaint.

71. Since Paragraph “71” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “71” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “71” of Plaintiff’s Complaint.

72. Since Paragraph “72” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in

Paragraph “72” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “72” of Plaintiff’s Complaint.

73. Since Paragraph “73” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “73” of Plaintiff’s Complaint.

74. Since Paragraph “74” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “74” of Plaintiff’s Complaint.

75. Since Paragraph “75” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “75” of Plaintiff’s Complaint.

76. Since Paragraph “76” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “76” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “SECOND CAUSE OF ACTION
AMERICANS WITH DISABILITIES ACT – RETALIATION/INTERFERENCE
(Not Against the Individual Defendants)”**

77. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “76” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “77” of Plaintiff’s Complaint.

78. Since Paragraph “78” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “78” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “78” of Plaintiff’s Complaint.

79. Since Paragraph “79” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “79” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “79” of Plaintiff’s Complaint.

80. Since Paragraph “80” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “80” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “80” of Plaintiff’s Complaint.

81. Since Paragraph “81” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the

Individual Defendants deny each and every allegation set forth in Paragraph “81” of Plaintiff’s Complaint.

82. Since Paragraph “82” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “82” of Plaintiff’s Complaint.

83. Since Paragraph “83” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “83” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “THIRD CAUSE OF ACTION
AMERICANS WITH DISABILITIES ACT – HOSTILE WORK ENVIRONMENT
(Not Against the Individual Defendants)”**

84. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “83” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “84” of Plaintiff’s Complaint.

85. Since Paragraph “85” is not directed to the Individual Defendants, no response is required by the Individual Defendants. In addition, the allegations set forth in Paragraph “85” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “85” of Plaintiff’s Complaint.

86. Since Paragraph “86” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the

Individual Defendants deny each and every allegation set forth in Paragraph “86” of Plaintiff’s Complaint.

87. Since Paragraph “87” is not directed to the Individual Defendants, no response is required by the Individual Defendants. To the extent a response is required, the Individual Defendants deny each and every allegation set forth in Paragraph “87” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “FOURTH CAUSE OF ACTION
FAMILY AND MEDICAL LEAVE ACT – RETALIATION/INTERFERENCE”**

88. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “87” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “88” of Plaintiff’s Complaint.

89. The allegations set forth in Paragraph “89” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “89” of Plaintiff’s Complaint.

90. The allegations set forth in Paragraph “90” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “90” of Plaintiff’s Complaint.

91. The allegations set forth in Paragraph “91” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “91” of Plaintiff’s Complaint.

92. The allegations set forth in Paragraph “92” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “92” of Plaintiff’s Complaint.

93. The allegations set forth in Paragraph “93” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “93” of Plaintiff’s Complaint.

94. The allegations set forth in Paragraph “94” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “94” of Plaintiff’s Complaint.

95. The Individual Defendants deny each and every allegation set forth in Paragraph “95” of Plaintiff’s Complaint.

96. The Individual Defendants deny each and every allegation set forth in Paragraph “96” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “FIFTH CAUSE OF ACTION
NEW YORK STATE HUMAN RIGHTS LAW – DISCRIMINATION”**

97. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “96” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “97” of Plaintiff’s Complaint.

98. The allegations set forth in Paragraph “98” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “98” of Plaintiff’s Complaint.

99. The Individual Defendants deny each and every allegation set forth in Paragraph “99” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “SIXTH CAUSE OF ACTION
NEW YORK STATE HUMAN RIGHTS LAW – HOSTILE WORK ENVIRONMENT”**

100. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “99” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “100” of Plaintiff’s Complaint.

101. The Individual Defendants deny each and every allegation set forth in Paragraph “101” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “SEVENTH CAUSE OF ACTION
NEW YORK STATE HUMAN RIGHTS LAW – RETALIATION”**

102. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “101” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “102” of Plaintiff’s Complaint.

103. The allegations set forth in Paragraph “103” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “103” of Plaintiff’s Complaint.

104. The allegations set forth in Paragraph “104” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “104” of Plaintiff’s Complaint.

105. The Individual Defendants deny each and every allegation set forth in Paragraph “105” of Plaintiff’s Complaint.

106. The Individual Defendants deny each and every allegation set forth in Paragraph “106” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “EIGHTH CAUSE OF ACTION
NEW YORK STATE HUMAN RIGHTS LAW – AIDING AND ABETTING”**

107. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “106” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “107” of Plaintiff’s Complaint.

108. The allegations set forth in Paragraph “108” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “108” of Plaintiff’s Complaint.

109. The Individual Defendants deny each and every allegation set forth in Paragraph “109” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “NINTH CAUSE OF ACTION
NEW YORK CITY HUMAN RIGHTS LAW – DISCRIMINATION”**

110. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “109” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “110” of Plaintiff’s Complaint.

111. The allegations set forth in Paragraph “111” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “111” of Plaintiff’s Complaint.

112. The allegations set forth in Paragraph “112” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “112” of Plaintiff’s Complaint.

113. The allegations set forth in Paragraph “113” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “113” of Plaintiff’s Complaint.

114. The Individual Defendants deny each and every allegation set forth in Paragraph “114” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “TENTH CAUSE OF ACTION
NEW YORK CITY HUMAN RIGHTS LAW – RETALIATION”**

115. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “114” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “115” of Plaintiff’s Complaint.

116. The allegations set forth in Paragraph “116” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “116” of Plaintiff’s Complaint.

117. The Individual Defendants deny each and every allegation set forth in Paragraph “117” of Plaintiff’s Complaint.

118. The Individual Defendants deny each and every allegation set forth in Paragraph “118” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “ELEVENTH CAUSE OF ACTION
NEW YORK CITY HUMAN RIGHTS LAW – INTERFERENCE”**

119. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “118” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “119” of Plaintiff’s Complaint.

120. The allegations set forth in Paragraph “120” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “120” of Plaintiff’s Complaint.

121. The allegations set forth in Paragraph “121” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “121” of Plaintiff’s Complaint.

122. The Individual Defendants deny each and every allegation set forth in Paragraph “122” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “TWELFTH CAUSE OF ACTION
NEW YORK CITY HUMAN RIGHTS LAW – AIDING AND ABETTING”**

123. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “122” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “123” of Plaintiff’s Complaint.

124. The allegations set forth in Paragraph “124” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “124” of Plaintiff’s Complaint.

125. The Individual Defendants deny each and every allegation set forth in Paragraph “125” of Plaintiff’s Complaint.

126. The Individual Defendants deny each and every allegation set forth in Paragraph “126” of Plaintiff’s Complaint.

**AS AND FOR AN ANSWER TO “THIRTEENTH CAUSE OF ACTION
NEW YORK CITY HUMAN RIGHTS LAW – EMPLOYER LIABILITY”**

127. The Individual Defendants repeat and reallege their responses to the allegations set forth in Paragraphs “1” through “126” of Plaintiff’s Complaint, as if fully set forth herein in response to Paragraph “127” of Plaintiff’s Complaint.

128. The allegations set forth in Paragraph “128” of Plaintiff’s Complaint state conclusions of law to which no response is required. To the extent a response is required, the Individual Defendants deny the allegations set forth in Paragraph “128” of Plaintiff’s Complaint.

129. The Individual Defendants deny each and every allegation set forth in Paragraph “129” of Plaintiff’s Complaint.

130. The Individual Defendants deny each and every allegation set forth in Paragraph “130” of Plaintiff’s Complaint.

AS AND FOR AN ANSWER TO PLAINTIFF’S “WHEREFORE” CLAUSE

The Individual Defendants deny all allegations and any claim for relief set forth in Plaintiff’s “WHEREFORE” clause to Plaintiff’s Complaint and specifically deny that Plaintiff is entitled to any of the relief she seeks.

AS AND FOR AN ANSWER TO “JURY DEMAND”

The Individual Defendants deny that Plaintiff is entitled to a trial by jury with respect to any of the claims set forth in Plaintiff’s Complaint.

GENERAL DENIAL

The Individual Defendants deny all claims and allegations not unequivocally admitted herein.

AFFIRMATIVE AND OTHER DEFENSES

Without assuming the burden of proof as to any of the following defenses where the law does not impose such burden on the Individual Defendants, the Individual Defendants assert the following defenses:

AS AND FOR A FIRST DEFENSE

Plaintiff's Complaint fails, in whole or in part, to state a claim upon which relief can be granted.

AS AND FOR A SECOND DEFENSE

Plaintiff's claims are barred, in whole or in part, by the applicable statutes of limitations.

AS AND FOR A THIRD DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrine of laches, estoppels, res judicata, waiver and/or other equitable defenses.

AS AND FOR A FOURTH DEFENSE

At all relevant times, the Individual Defendants acted reasonably and in good faith and have not violated any rights that may be secured to Plaintiff under federal, state or local laws, rules, regulations, codes or guidelines.

AS AND FOR A FIFTH DEFENSE

At all relevant times, the Individual Defendants' actions with respect to Plaintiff were based on legitimate, lawful business reasons.

AS AND FOR A SIXTH DEFENSE

The Individual Defendants' actions with respect to Plaintiff were neither intentionally nor negligently violative of federal, state or local laws, common law, rules, regulations, codes or guidelines.

AS AND FOR A SEVENTH DEFENSE

Plaintiff's claims are barred, in whole or in part, because Plaintiff failed to satisfy certain conditions precedent and/or jurisdictional prerequisites prior to filing this action.

AS AN FOR AN EIGHTH DEFENSE

Plaintiff's claims are barred, in whole or in part, by Plaintiff's failure to mitigate her alleged damages.

AS AND FOR A NINTH DEFENSE

At all times pertinent herein, Plaintiff and/or her daughter did not have a disability within the meaning of the New York State Human Rights Law ("NYSHRL") or the New York City Human Rights Law ("NYCHRL"), nor was Plaintiff and/or her daughter perceived by the Individual Defendants as having a disability, and therefore she has no standing the initiate this action and no right to any relief under the NYSHRL and/or NYCHRL.

AS AND FOR A TENTH DEFENSE

At all times pertinent herein, Plaintiff was not a qualified individual with a disability within the meaning of the NYSHRL and/or NYCHRL, and therefore has no standing to initiate this action and no right to any relief under the NYSHRL and/or NYCHRL.

AS AND FOR AN ELEVENTH DEFENSE

Even if Plaintiff was a qualified individual with a disability as defined by the NYSHRL and/or NYCHRL, the Individual Defendants had no knowledge thereof.

AS AND FOR A TWELFTH DEFENSE

The Individual Defendants did not discriminate against Plaintiff because of her alleged disability within the meaning of the NYSHRL and/or NYCHRL.

AS AND FOR A THIRTEENTH DEFENSE

Plaintiff was unable to perform the essential functions of the job, with or without reasonable accommodations.

AS AND FOR A FOURTEENTH DEFENSE

In the alternative, but without in any way waiving the foregoing defenses that Plaintiff is not disabled and/or not a qualified individual with a disability, in the event that it is determined that Plaintiff is disabled and is a qualified individual with a disability, the Individual Defendants aver that they met any obligations to engage in an interactive process with Plaintiff to identify reasonable accommodations.

AS AND FOR A FIFTEENTH DEFENSE

Plaintiff never requested or sought reasonable accommodation.

AS AND FOR A SIXTEENTH DEFENSE

In the alternative, but without in any way waiving the foregoing defenses that Plaintiff is not disabled and/or not a qualified individual with a disability, in the event that it is determined that Plaintiff is disabled and is a qualified individual with a disability, the Individual Defendants made good faith efforts to accommodate Plaintiff.

AS AND FOR A SEVENTEENTH DEFENSE

To the extent Plaintiff was entitled to and sought a reasonable accommodation, the Individual Defendants had no obligation to provide Plaintiff with the particular accommodation sought.

AS AND FOR AN EIGHTEENTH DEFENSE

To the extent Plaintiff sought accommodations beyond those offered to her by the Individual Defendants, such accommodations were unreasonable and would have imposed an undue hardship on the Individual Defendants.

AS AND FOR A NINETEENTH DEFENSE

To the extent that Plaintiff engaged in acts of misconduct prior to or during his employment which, if known, would have resulted in the denial of employment or termination or her employment, any relief awarded to Plaintiff, if any, should be reduced, in whole or in part, because Plaintiff engaged in such misconduct.

AS AND FOR A TWENTIETH DEFENSE

Plaintiff's claims are barred, in whole or in part, because the Individual Defendants never discriminated and/or retaliated against Plaintiff with regard to any requested or taken leave under the Family and Medical Leave Act ("FMLA").

AS AND FOR A TWENTY-FIRST DEFENSE

The Individual Defendants reserve the right to amend their answers and responses herein and to raise additional affirmative and other defenses or to pursue any available counterclaim against Plaintiff as those claims or defenses become known during the litigation.

WHEREFORE, the Individual Defendants respectfully request that the Court:

- (a) Dismiss the Complaint in its entirety, with prejudice;

- (b) Deny each and every demand prayer for relief contained in the Complaint;
- (c) Award the Individual Defendants reasonable attorney's fees and costs, incurred in defending against this action; and
- (d) Grant such other and further relief as the Court deems just and proper.

Dated: New York, New York
July 15, 2020

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